

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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LEE DAVIDSON,

v.

DWIGHT NEVENS, et al.,

Petitioner,

Respondents.

Case No. 2:16-cv-01356-JCM-GWF

ORDER

On October 13, 2006, the court denied habeas corpus petitioner Lee Davidson's application to proceed *in forma pauperis* and directed him to pay the \$5.00 filing fee within thirty (30) days. More than the allotted time has passed, and Davidson has failed to pay the filing fee or respond to the court's order in any manner. Thus, the present action will be dismissed without prejudice for failure to comply with the court's order to pay the filing fee.

IT IS THEREFORE ORDERED that this action is **DISMISSED** without prejudice as set forth in this order.

IT IS FURTHER ORDERED that a certificate of appealability is **DENIED**, as jurists of reason would not find the court's dismissal of this improperly commenced action without prejudice to be debatable or incorrect.

IT IS FURTHER ORDERED that the Clerk shall send petitioner a copy of the papers that he submitted in this action.

IT IS FURTHER ORDERED that the Clerk shall **ENTER JUDGMENT** accordingly and close this case.

DATED: December 13, 2016.

**JAMES C. MAHAN
UNITED STATES DISTRICT JUDGE**